

**Notice of Allowability**

Application No.

09/773,528

Examiner

James A. Reagan

Applicant(s)

TAKAHASHI ET AL.

Art Unit

3621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 04 April 2006.
2. ☒ The allowed claim(s) is/are 1,3,5,7-10,12,14 and 15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### Status of Claims

1. This action is in response to the amendment filed on 04 APRIL 2006.
2. Claims 1, 3, 5, 7, 8-10, 12, 14 and 15 have been amended.
3. Claims 2, 4, 6, 1 and 13 have been canceled.
4. Claims 1, 3, 5, 7, 8-10, 12, 14 and 15 remain pending and have been examined.

### Allowable Subject Matter

5. Claims 1, 3, 5, 7, 8-10, 12, 14 and 15 are allowed. See Reasons for Allowance under separate heading.

### Reasons For Allowance

6. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of:

- *in a case that the sum of the software-license usage numbers of all sections of the organization exceeds the software-license holding number, in response to such a determination automatically generating a purchase transaction for purchasing software licenses based on a difference between the sum and the software-license holding number;*
- *adding a number of purchased software licenses to the software-license holding number;*

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- *distributing a purchase expense to a section whose software-license usage number is greater than the corresponding software-license right number, and updating the software-license right number of the section; and*
- *generating a software dictionary which includes the predefined indicia of nonvolatile installation of respective of the different software products, and which identifies software products; and*
- *wherein the inventory information is generated by using the generated software dictionary which is distributed to each of the plurality of computers in the organization from which the inventory information is collected.*

Independent claims 1, 3, 5, 7, 8-10, 12, 14 and 15 are distinguished over the closest prior art of Bereiter (US 5,754,763), which discloses the traditional technique of managing license information by maintaining a license server which polices a network for license violations without regard or mention of currently executed programs or applications (column 1, line 12 to column 2, line 9). As recited in Independent claims 1, 3, 5, 7, 8-10, 12, 14 and 15 it is clear that the Applicant's invention is distinguished over the Bereiter invention in at least the method step of generating the software dictionary of nonvolatile installations of the software, and adding purchased software licenses when necessary. Although Bereiter does disclose managing licenses by using a license server, Bereiter does not disclose the software dictionary, etc.

### Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - HAYASHI, TAKEHIKO (JP 10143363 A; May 29, 1998; G06F 009/06) discloses a SOFTWARE LICENSE GRANTING DEVICE.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**571-273-8300** [Official communications, After Final communications labeled "Box AF"]

**571-273-8300** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

Art Unit 3621

09 June 2006



**JAMES A. REAGAN  
PRIMARY EXAMINER**